

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

David P. Donovan

Plaintiff,

v.

Beth A. Wilkinson,

Defendant.

Civil Action No. 1:20-cv-1344

**DECLARATION OF MOIRA KIM PENZA**

I, Moira Kim Penza, declare under penalty of perjury:

Background

1. I am thirty-six years old and I have personal knowledge of the facts set forth herein.
2. I am a Partner in the New York office of Wilkinson Stekloff LLP, where I have worked since September 2019.
3. I have been a member in good standing of the New York Bar since 2009.
4. In 2005, I received a Bachelor of Arts degree, *summa cum laude*, from Binghamton University.
5. In 2008, I received my Juris Doctorate degree, *magna cum laude*, from Cornell Law School. After graduating, I worked as an associate for six-and-a-half years at Paul, Weiss, Rifkind Wharton, & Garrison LLP in New York.
6. I left Paul, Weiss in 2015 and joined the United States Attorney's Office for the Eastern District of New York as an Assistant United States Attorney. During my tenure I primarily served in the Organized Crime and Gangs Section. I was also the Office's Human Trafficking Coordinator. As an AUSA, I prosecuted a wide range of violent and

white collar crime, including *United States v. Raniere*, a racketeering and sex trafficking case against the leader of a cult-like organization, NXIVM.

7. In September 2019, I reentered private practice and joined Wilkinson Stekloff (then Wilkinson Walsh) as a Partner. Since joining the firm, I have worked on a variety of significant matters for corporate and individual clients.
8. On the morning of [REDACTED], Ms. Wilkinson called me to ask if I would co-lead with her an investigation into workplace misconduct [REDACTED]  
[REDACTED], and I agreed. When Ms. Wilkinson explained the engagement, she told me that [REDACTED]  
[REDACTED] From that point until present, she and I have communicated almost daily about the investigation.
9. [REDACTED] Ms. Wilkinson and I had a call with [REDACTED]  
[REDACTED] Ms. Wilkinson introduced me on the call as co-leading the investigation. [REDACTED]  
[REDACTED] explained the [REDACTED]  
[REDACTED] On that call, Mr. Chirite mentioned that [REDACTED]  
[REDACTED]  
[REDACTED] Beth commented that we [REDACTED]  
[REDACTED] After that phone call, I do not believe I ever had a phone conversation with Mr. Chirite again.
10. Following that call, [REDACTED] became my point of contact, and he and I communicated regularly. The first week of our engagement, [REDACTED] communicated primarily about [REDACTED] and on July 16 the first feature Washington Post story was

published. [REDACTED], I began [REDACTED]

[REDACTED]

[REDACTED]

also knew based on our discussions that we were providing regular updates to [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11. On [REDACTED], Ms. Wilkinson and I spoke extensively about the investigation. During

the conversation, she informed me that over the prior weekend, [REDACTED]

[REDACTED] had told her about [REDACTED]

[REDACTED]. Ms. Wilkinson told me that [REDACTED]

[REDACTED], and Ms. Wilkinson told me that she

[REDACTED]

[REDACTED] Beth also told me that [REDACTED]

[REDACTED]

[REDACTED] and she described [REDACTED]

[REDACTED] Ms. Wilkinson never [REDACTED] and she asked me [REDACTED]

[REDACTED] when I planned to be in Washington, D.C. in-person for a scheduled meeting with [REDACTED]

12. That same week, my colleagues and I began the process of scheduling interviews with

[REDACTED] Right away, [REDACTED]

[REDACTED]

[REDACTED] On the evening of

[REDACTED], asking for [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] wrote back, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] added that [REDACTED]

[REDACTED]

[REDACTED] *Id.*

13. Upon receiving this email, I communicated with Ms. Wilkinson, who informed me that

she had already discussed [REDACTED]

[REDACTED], but only for the purpose of speaking

to us, *i.e.*, that [REDACTED]

[REDACTED] With this understanding, I wrote back to [REDACTED]

and said, [REDACTED]

[REDACTED]

[REDACTED] During the course of the investigation, [REDACTED]

[REDACTED]

[REDACTED] Exhibit W18-B.

14. [REDACTED], I traveled to D.C. for my scheduled meeting with [REDACTED]. [REDACTED] had decided not to meet in person in light of the pandemic, but another colleague and I met with [REDACTED]. At no point during that meeting, nor anytime thereafter, [REDACTED]

[REDACTED]

Additionally, in my experience, [REDACTED] was always precise and careful [REDACTED]

[REDACTED]

[REDACTED]

15. Out of the [REDACTED] we have interviewed, [REDACTED] [REDACTED] have requested assurances that they are free to cooperate with our investigation, which my colleagues and I have always provided upon request, based on the authorization given to us by the Team. To preserve the independence of the investigation, [REDACTED] [REDACTED] we never disclosed [REDACTED] who we were interviewing, [REDACTED] [REDACTED] one of the reasons we sought the [REDACTED] so that we would not have to make requests on an individual basis.

16. Later that evening of [REDACTED] I met in person with Ms. Wilkinson. We talked about the investigation at various points throughout the evening, including about [REDACTED] [REDACTED]. At no point that evening or in any conversation before or after did Ms. Wilkinson inform me [REDACTED]

[REDACTED] or that the release of confidentiality obligations to cooperate in our investigation [REDACTED]. Additionally,

I never understood [REDACTED]

[REDACTED]

17. If at any point Ms. Wilkinson had instructed me that [REDACTED]

[REDACTED], I would have argued that we should no longer continue with the

investigation [REDACTED] the

integrity of our investigation. Indeed, Ms. Wilkinson and [REDACTED]

[REDACTED] investigate [REDACTED]

[REDACTED]

[REDACTED] At some point, Ms. Wilkinson and I

agreed that later in our investigation [REDACTED]

[REDACTED], [REDACTED], [REDACTED]

[REDACTED]

18. Based on my experience working with Ms. Wilkinson on this investigation and on other

matters, I believe that if she was concerned that [REDACTED]

[REDACTED] or that the [REDACTED]

[REDACTED], that Ms. Wilkinson would have immediately raised those

issues to [REDACTED] For example, [REDACTED]

[REDACTED] we faced an issue where [REDACTED] told

us [REDACTED]

[REDACTED] Rather than

accepting [REDACTED] that [REDACTED], Ms. Wilkinson and I took a

number of steps, including [REDACTED] and  
documenting [REDACTED] in letters [REDACTED]

[REDACTED]

19.

[REDACTED]

[REDACTED]

[REDACTED] By this point [REDACTED]

[REDACTED] continued to [REDACTED] as he had  
before, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. These documents were substantively the same as [REDACTED]

[REDACTED]

20. In mid-September, Ms. Wilkinson informed me that she [REDACTED]

and she provided [REDACTED]

[REDACTED] [REDACTED] Ms.

Wilkinson and I conducted [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ms. Wilkinson and I spoke [REDACTED]

[REDACTED] investigation and  
report.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 20, 2020

[REDACTED]  
Molra Kim Penza



## **EXHIBIT W17**

Thank you, Will. [REDACTED]

Please also see some additional requests below.

Hi Moira. Attached/below, some additional materials:

1. [REDACTED]
2. [REDACTED]

3. [REDACTED]

4. [REDACTED]

[REDACTED]

Best,  
Will



**Will Rawson**  
General Counsel | **THE WASHINGTON REDSKINS**  
21300 Redskin Park Dr, Ashburn, VA 20147

[REDACTED]



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**From:** Moira Penza [REDACTED]  
**Sent:** Saturday, July 18, 2020 8:13 AM  
**To:** Will Rawson [REDACTED]  
**Subject:** RE: Materials

Thanks!

---

**From:** Will Rawson [REDACTED]  
**Sent:** Saturday, July 18, 2020 1:10 AM  
**To:** Moira Penza [REDACTED]  
**Subject:** RE: Materials

Hi Moira. I'll confirm with our IT and circle back!

Best,



**Will Rawson**  
General Counsel | **THE WASHINGTON REDSKINS**  
21300 Redskin Park Dr, Ashburn, VA 20147

[REDACTED]



---

**From:** Moira Penza [REDACTED]  
**Sent:** Saturday, July 18, 2020 1:05 AM  
**To:** Will Rawson [REDACTED]  
**Subject:** RE: Materials

Thanks Will. [REDACTED]

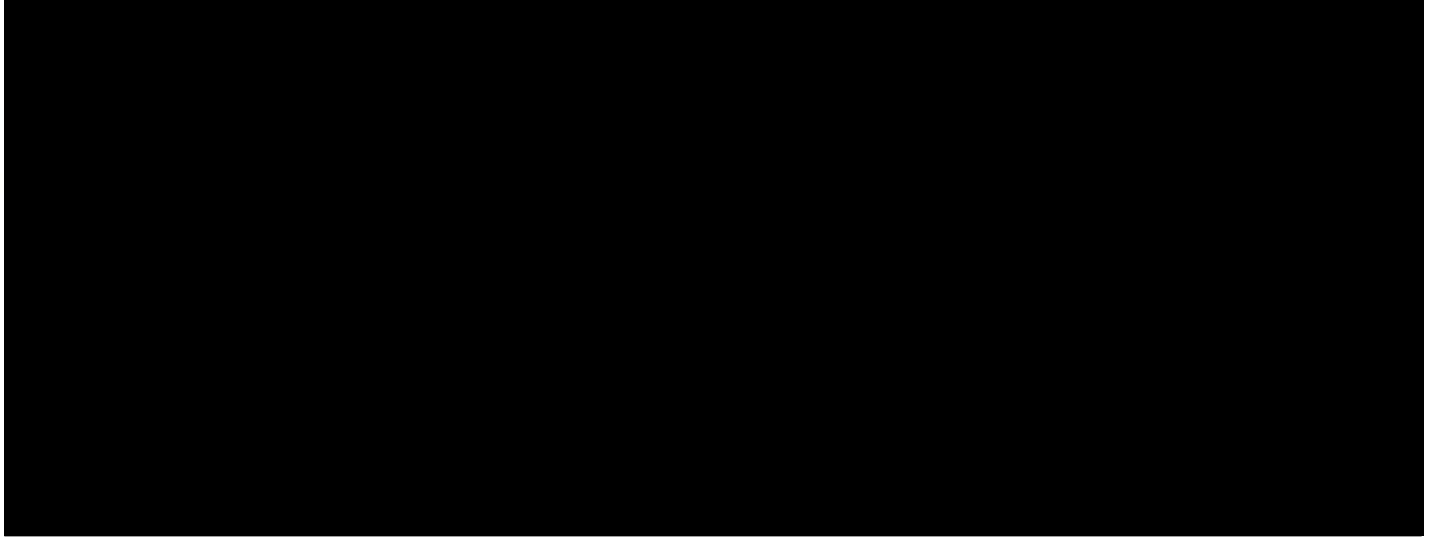
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**From:** Will Rawson [REDACTED]  
**Sent:** Saturday, July 18, 2020 12:04 AM

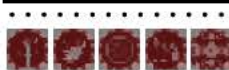
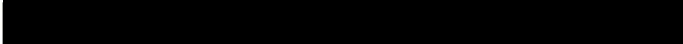
To: Moira Penza [REDACTED]  
Subject: RE: Materials

Hi Moira. Thanks for the call today. [REDACTED]

Best,  
Will



**Will Rawson**  
General Counsel | **THE WASHINGTON REDSKINS**  
21300 Redskin Park Dr, Ashburn, VA 20147



---

**From:** Will Rawson  
**Sent:** Friday, July 17, 2020 4:53 PM  
**To:** 'Moira Penza' [REDACTED]  
**Subject:** RE: Materials



**Will Rawson**  
General Counsel | **THE WASHINGTON REDSKINS**  
21300 Redskin Park Dr, Ashburn, VA 20147



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**From:** Moira Penza [REDACTED]  
**Sent:** Friday, July 17, 2020 4:50 PM  
**To:** Will Rawson [REDACTED]  
**Subject:** RE: Materials

Thanks! I'll call you in 10. Office or cell?

From: Will Rawson [REDACTED]  
Sent: Friday, July 17, 2020 4:45 PM  
To: Moira Penza [REDACTED]  
Subject: RE: Materials

Hi Moira. Yep, available rest of today. When is convenient?



**Will Rawson**  
General Counsel | **THE WASHINGTON REDSKINS**  
21300 Redskin Park Dr, Ashburn, VA 20147  
[REDACTED]



---

From: Moira Penza [REDACTED]  
Sent: Friday, July 17, 2020 4:42 PM  
To: Will Rawson [REDACTED]  
Subject: RE: Materials

Do you have time for a brief call? Thanks!

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From: Moira Penza  
Sent: Friday, July 17, 2020 10:32 AM  
To: 'Will Rawson' [REDACTED]  
Subject: RE: Materials

Thanks Will. [REDACTED]

[REDACTED]

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From: Will Rawson [REDACTED]  
Sent: Thursday, July 16, 2020 10:24 PM  
To: Moira Penza [REDACTED]  
Subject: RE: Materials

[REDACTED]

[REDACTED]

Best,  
Will



**Will Rawson**  
General Counsel | **THE WASHINGTON REDSKINS**  
21300 Redskin Park Dr, Ashburn, VA 20147  
[REDACTED]



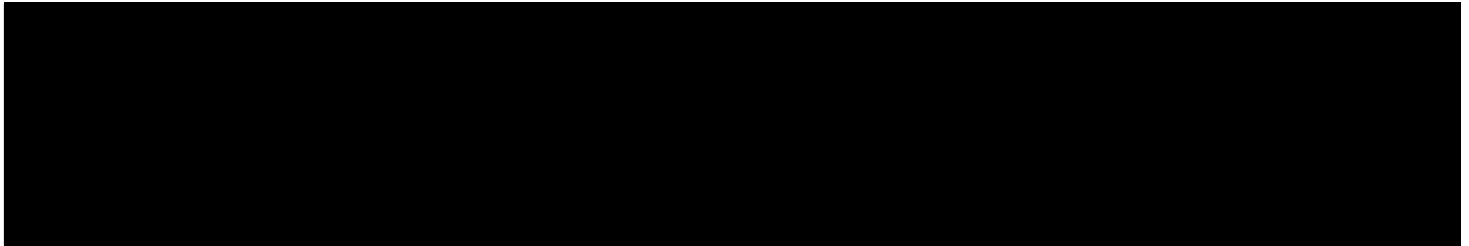
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From: Moira Penza [REDACTED]  
Sent: Thursday, July 16, 2020 1:53 PM  
To: Will Rawson [REDACTED]  
Subject: Materials

Hi Will,

I know you are likely to have your hands full today, but when you do get a chance if you could send the following it would be very helpful. [REDACTED]

[REDACTED]!



**Moira Penza** | Partner

**WILKINSON WALSH LLP**

130 W 42nd Street, 24th Floor, New York, NY 10036

Direct: (929) 264-7773 | Fax: (202) 847-4005

[mpenza@wilkinsonwalsh.com](mailto:mpenza@wilkinsonwalsh.com)

[wilkinsonwalsh.com](http://wilkinsonwalsh.com)

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## **EXHIBIT W18-A**

**From:** [Moir Penza](#)  
**To:** [Will Rawson](#)  
**Subject:** RE: [REDACTED] Concerns  
**Date:** Wednesday, July 22, 2020 6:11:08 PM

---

Thanks for all the emails yesterday, Will. [REDACTED]  
[REDACTED]  
[REDACTED]

---

**From:** Will Rawson [REDACTED]  
**Sent:** Tuesday, July 21, 2020 11:27 PM  
**To:** Moira Penza <[REDACTED]>  
**Subject:** RE: [REDACTED] Concerns

Hi Moira. Thanks for the call today.

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

Best,  
Will



**Will Rawson**

General Counsel | **THE WASHINGTON REDSKINS**  
21300 Redskin Park Dr, Ashburn, VA 20147

[REDACTED]

.....



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**From:** Moira Penza [REDACTED]  
**Sent:** Tuesday, July 21, 2020 5:01 PM  
**To:** Will Rawson [REDACTED]  
**Subject:** [REDACTED]

Will,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]



[REDACTED]  
[REDACTED]  
  
Thanks,  
Moira

**Moira Penza** | Partner

**WILKINSON WALSH LLP**


130 W 42nd Street, 24th Floor, New York, NY 10036  
[REDACTED]  
[REDACTED]  
[REDACTED]

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## **EXHIBIT W18-B**

**From:** Will Rawson  
**Sent:** Wednesday, July 22, 2020 6:19 PM  
**To:** Norman Chirite  
**Subject:** FW: [REDACTED] Concerns

Norm, FYI below.

 Washin  
gton  
Redskin

**Will Rawson**  
General Counsel | THE WASHINGTON REDSKINS  
21300 Redskin Park Dr, Ashburn, VA 20147  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]


---

**From:** Moira Penza [REDACTED]  
**Sent:** Wednesday, July 22, 2020 6:11 PM  
**To:** Will Rawson [REDACTED]  
**Subject:** RE: [REDACTED] Concerns  
Thanks for all the emails yesterday, Will.  
[REDACTED]

---

**From:** Will Rawson [REDACTED]  
**Sent:** Tuesday, July 21, 2020 11:27 PM  
**To:** Moira Penza [REDACTED]  
**Subject:** RE: [REDACTED] Concerns  
Hi Moira. Thanks for the call today.  
[REDACTED]  
[REDACTED]

Best,  
Will

 Washin  
gton  
Redskin

**Will Rawson**  
General Counsel | THE WASHINGTON REDSKINS  
21300 Redskin Park Dr, Ashburn, VA 20147  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

---

**From:** Moira Penza <[mpenza@wilkinsonwalsh.com](mailto:mpenza@wilkinsonwalsh.com)>  
**Sent:** Tuesday, July 21, 2020 5:01 PM  
**To:** Will Rawson [REDACTED]  
**Subject:** Victim/Former Employee Retaliation Concerns  
Will,  
[REDACTED]

Thanks,  
Moira

**Moira Penza** | Partner  
WILKINSON WALSH LLP  
130 W 42nd Street, 24th Floor, New York, NY 10036  
[REDACTED]

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